Green-Doremus Case.

JURY EXCUSED FOR THE DAY

Introduction of Testimony Concluded Yesterday.

MOTION BY MR. WORTHINGTON

Urged That Government Be Required to Elect Upon Which Indictment It Would Rely.

Arguments on prayers for instructions to the jury were made today before Justice Gould in Criminal Court No. 1 in the case of George E. Green and Willard D. Doremus, under indictments charging bribery and conspiracy in connection with the sale of Doremus canceling machines to the Post Office Department. Before the arguments were begun counsel for the defense moved to require the government to elect as between the two indictments for presenting the case to the jury.

The court overruled the motion after it had been discussed by counsel at some

length. The jury had been excused until 1 o'clock this afternoon, but the consideration of instructions being at that time unfinished, the jury was again excused, with the direction to report tomorrow morning at 10 o'clock.

Motion by Mr. Worthington.

Soon after court convened this morning at 11 o'clock Attorney A. S. Worthington of counsel for the defense moved to require the government to make an election as between the conspiracy indictment and the bribery indictment for presentation to the jury. Mr. Worthington said that the case was unusual in so far as that aspect was concerned, and added that he had been unable to discover any authority to recite to the court in that connection. Counsel argued that the two charges were so intimately connected that the oenses alleged were practically identical. Mr. Worthington contended that two indictments could not properly go to a jury when such a state of af-fairs existed.

fairs existed.

He said it would be a great injustice, in the event of a conviction in such a case, for the jury, after finding a man guilty of bribery, to find him also guilty of conspiracy to commit the bribery, thereby subjecting him to purishment both. jecting him to punishment both for the completed and the included offense. Maj Holmes Conrad, of counsel for the govern-ment, argued that the statute which allowed the consolidation of the indictments for the purposes of the trial contemplated the continuance of the union until the verdict. He claimed that there was no reason for separating the indictments after they had been duly consolidated.

In ruling in favor of the government Jus-tice Gould held that the question for the exercise of the court's discretion was one of identity. He called attention to the fact that the conspiracy indictment contained more counts and covered more ground than the bribery indictment.

Following the ruling of the court against requiring an election as between the two dictments, arguments were begun on prayers for instructions to the fury.

following instructions for the government were granted: First-The jury are instructed that if they find from the evidence, beyond a reasonable intendent and general superintendent of salaries and allowances in the office of the first assistant postmaster general of the Post Office Department, and that as such superintendent and general superintendent he was charged with the consideration of expenditures and allowances for miscel-laneous items of supply, including canceling machines for the use in United States post offices, and that it was Beavers' duty to States in making expenditures and allow ances for and procuring such miscellaneous supplies, and to obtain such supplies as cheaply as possible, and that it was Beavers' duty to faithfully and truthfully advise his superior officers in matters which pertained to his said duty; and if they further find from the evidence that the de-fendant George E. Green was president and agent, and that the defendant Willard D. Doremus was vice president and agent of the Doremus Machine Company, and that the machine company was a corporation engaged in manufacturing and selling can celling machines, and that the defendants Green and Doremus knew that Beavers was such officer of the United States as afore said, and if they further find from the evidence that Beavers while such superintend-ent or general superintendent, as afore-said, and that Green and Doremus, while such officers and agents of the Doremus

Machine Company as aforesaid entered into an agreement by which Green and Deemus, in behalf of the Doremus Machine Company, promised and agreed with Beavers that upon each and every cancel ing machine then and thereafter ordered by Post Office Department from the Dore mus Machine Company through the pro-curement and influence of Beavers while Beavers continued to be such officer of the aited States as aforesaid, the Doremus Machine Company would pay to Beavers for his own use a commission of \$25; then they are instructed that the defendants Green and Doremus are guilty of conspiracy to defraud the United States, and they are beyond a reasonable doubt all or any of the overt acts mentioned in the indictment No. 23901, then their verdict must be guilty as indicted, or guilty on those counts of said indictment charging the overt acts which they shall find so proved,

Second for Government.

"Second-If the jury shall find, beyond : reasonable doubt, the facts set forth in the government's first prayer, they are instructed as matter of law that it is immaterial whether Beavers actually procured or influenced the ordering by the Post Office Department from the Doremus Machine Company of any canceling machines, and it is immaterial who actually ordered can-celing machines on behalf of the Post Office Department, and whether Beavers had anything to do with the making of any contract for the purchase of such canceling machines; and even if they should find that Beavers did not procure or influence the order or pur-chase of any canceling machines by the Post Office Department from the Doremus Machine Company, yet if they find that Beavers and Green and Doremus entered into the agreement described in the govern ment's first prayer, and that any overt ac charged in any count of indictment No. 23061 is established by the evidence beyond a reasonable doubt, their verdict must be guilty on such count charging the overtacts which they shall find so established. "Third—The jury is instructed that if it find, from the evidence beyond a reasonable doubt, that either of the defendants conspired with George W. Beavers as set forth in the government's first prayer, and that thereafter the other defendant learned of such conspiracy, and thereafter did any act in pursuance of such conspiracy, or par-ticipated in the doing thereof, the last mentioned defendant is equally guilty of

"Fourth-The jury is instructed that evidence of statements made by any witnesses out of court offered for the purpose of im-peaching such witness is not to be considered as proving, or as tending to prove, the truth of such statements, but is only to be considered by the jury so far as in their opinion such statements may affect the credibility of the witness for whose im-

Constitutional Objection.

When the fifth prayer was presented by the government Mr. Worthington objected to the whole of it, claiming that it was in direct opposition to the fifth amendment of the Constitution. It was to the effect that if the jury should conclude that either of the defendants had failed to produce wit-nesses or documents to explain evidence presented by the government, when such witnesses or documents could have been procured by the defense, then such failure 1 to 5, place should be taken as indicating that the evi-

INSTRUCTIONS ASKED

dence, if presented, would have weakened the case of the defense.

Assistant United States Attorney Stuart McNamara made argument in support of the prayer, contending that it had no reference to the failure of the defendant Green to take the stand in his own behalf. At the request of counsel for the defendant Green to take the stand in his own behalf. At the prayer was passed by the court for the prayer was passed by the court for the defense this prayer was pas

Testimony Concluded.

By extending the afternoon session until about 5 o'clock yesterday the court enabled both the defense and the prosecution to conclude the introduction of testimony. Just before adjournment counsel for the govern ment withdrew the motion for the admisin evidence of the plea in abatement filed by Mr. Green in the earlier proceedings. It was stated that after looking up au-thorities counsel had some doubt as to the admissibility of the paper, but Justice Gould remarked that he had no doubt about it. He had before indicated the view that

the paper should be excluded.

Harlow E. Bundy, formerly treasurer and general manager of the Bundy Time Recording Company, was the last witness for the defense. He positively denied having given Herbert J. Truesdell the sum of \$600 to be paid to George W. Beavers, or any one else in the Post Office Department, in connection with sales of Bundy machines. This was a flat contradiction of Mr. Trues-

In rebuttal the government called the fo In rebuttal the government called the following witnesses from the vicinity of Rust, Pa., who testified that Truesdell's reputation for veracity was good: Isaiah Hare, Stuart B. McCain, Wellington E. Ball, Seth B. Start, Miles G. Shoemaker, Joseph Edwards, Uzal Kinney, Robert H. Hillis, Levi T. Burchard and Edward Granger.

Conference Between New York Politician and Mr. Gompers.

AN OUTLINE OF POLICY

Mr. Hearst Invited to Give Views of Present Conditions.

PLEDGES AID AND INFLUENCE

Support of Movement for the Upbuilding of the Labor Party in United States.

Marked significance was given to this morning's meeting of the executive council of the American Federation of Labor by the presence of William R. Hearst of New York city, and also by reason of the statement oy President Gompers that a discussion was had upon the subject of labor and the next political campaign.

Mr. Gompers stated that Mr. Hearst's visit was informal and that no undue interest should attach to his participation in the deliberations today.

It was learned later that Mr. Hearst was wanted by the members of the executive council to give his views upon the present standing of labor in politics. It was also stated that Mr. Hearst has pledged his influence and the influence of his newspapers toward increasing the strength of the labor

Silence was also maintained regarding the proposed conference this afternoon between labor leaders. In order that the conference might be uninterrupted no afternoon session of the council was held, and 8 o'clock this evening was substituted as the hour for

the second session of the third day.

A general discussion took place, it is declared, in which the American Federa-tion of Labor defined the position of the workingmen throughout the country, and an outline was submitted of plans where-by the co-operation of the people for re-form and relief from alleged unjust con-ditions for the laboring men would be

### Mr. Hearst Gives Views.

"I believe that labor can better obtain its ends by entering into politics and making any reasonable demands of the people and of the government as a national factor than by resorting to force, such as in calling strikes, ordering lockouts and the like." So spoke Representative William R. Hearst of New York today when asked regarding his presence before the executive council of the American Federation of Labor, now in session at headquarters.
"By that I mean," continued Mr. Hearst, "that labor can gain a great deal by enter-

ing the political arena. As to what politics would gain by entering into an alliance with the labor forces of the United States I am not prepared to say just at present. The latter phase was not what interested "Of course, I must say that politics was

morning. "It is supposed therefore, that your political influence or your political future had nothing to do with it?" Mr. Hearst was

### Has Had Experience.

"Not a bit. Naturally, I have some experience in practical polities, and for this reason, more than anything else, I was invited to give my opinion. The laboring men, knowing my attitude on this question, merely desired to question me as to how, when and where labor could derive the best benefits by entering politics."

"What part will you take in the movement?" was the question. "The same part I have heretofore taken.

"The same part I have heretofore taken. My ideas are the same. My newspapers will treat this question just as they have treated it in the past. Nothing has been pledged by me in any way, and I don't believe anything will be pledged in the future. As I said, the question as viewed by me pertains to labor rather than politics—to the advantages to be derived by the former rather than by the latter.

"No political alliances so far as I know "No political alliances so far as I know have been made or are contemplated. I shall

not go before the executive council of the American Federation of Labor unless I am When asked whether he knew of any pro-

posed discussions between labor leaders and congressmen, Mr. Hearst stated he knew othing about them.

### Hearing of Stove Dealers.

Local stove dealers were largely represented at a hearing before the Commissioners this afternoon, the matter at issue being an alleged violation of the regulations incident to stove dealers breaking and making connection with gas stoves. Mr. Jenks, a dealer, against whom a test Mr. Jenks, a dealer, against whom a test case was brought, was the principal speaker, and he presented a diagram to show that the whole matter at Issue was whether the provision of the regulations, which permits stove dealers to connect gas stoves with the piping, also granted authority for them to make connections for separate hot water gas heaters. Secretary Caverly of the Master Plumbers' Association spoke on the subject from the plumbers' standpoint.

International Pressmen's Election. PITTSBURG, Pa., June 20 .- The International Pressmen's and Assistants' Union, in convention here, elected the following officers at today's session: President, Martin P. Higgins, Boston; first vice president, William Murphy, Butte, Mont.; second vice president, J. G. Warrington, St. Louis; third vice president, Edward W. Gordon, Boston; secretary and treasurer, William J. Webb, Brooklyn.

First Bace at Gravesend. GRAVESEND, N. Y., June 20.-First race selling, two-year-olds, five furlongs-Frank Lord, 6 to 1 and 2 to 1, won; Al Powell,

# AGRICULTURAL BILL AT THE WHITE HOUSE

**House Substitute.** 

ON THE MEAT INSPECTION SEN. KITTREDGE OBJECTS

tial Points.

And the Date on the Label-Former

Should Not Be Saddled on the Government.

Senator Proctor today called up in the Senate the agricultural appropriation bill and made the usual motion for agreement to the request for a conference. He then made a statement concerning the House substitute for the meat inspection provision, saying that there were two essential points of difference between the two houses. One of these, he said, was the omission by the House of the Senate provision requiring that the date of inspection be placed on cans containing meat and the other the transfer of the cost of inspection from the packers to the national treasury. Speaking of the latter change he said that it was radical and in his opinion unwise, and advised that the House amendment on that point be not accepted.

The packers could, he declared, afford the expenses as an advertisement, for, looked at in that light, the government certificate would be of immense benefit. Mr. Proctor also charged that the numerous protests One of these, he said, was the omission by

also charged that the numerous protests which have been coming to the Senate on this subject have a common origin in Chi-cago and in support of his statement read a number of the protests to show the lan-guage to be practically the same wherever they may be dated.

Mr. Beveridge's Criticism.

Senator Beverldge agreed with Mr. Proctor as to the unwisdom of the House changes in the matters of date of labels and cost of inspection, but expressed gratification that the provision for night surveillance had been retained. The two essential changes he considered as most important, declaring that if the date is not to be used it will be possible to pass off as fresh meat that which may have been inspected five years ago. He said that the date is stamped an most shipped abroad date is stamped on meat shipped abroad and argued that the same plan should be pursued with reference to meat consume

Why, he asked, should the people pay for the packers' inspection and not the packers themselves, and, agreeing with Mr. Proctor, \$8,000,000 or \$10,000,000 for advertising purposes. Looking at the matter in that light the cost of inspection would not be a burden, because the inspection would be a great benefit. The cost would at the most be infinitesimal, 8 cents per head for cattle and 5 cents for swine. It would be impossible for packers to increase the price of meat or decrease that of stock on account of this slight charge; hence the alarm on this second. this account was groundless. The charge should be paid out of the profits of the packers themselves, and neither by the government, the stock growers or the consumers. He predicted that the House appropriation would be inadequate to meet all the demands on it, while the fee system provided by the Senate would adjust itself ands upon it.

He pointed out that national banks pay for their inspection, as do oleomargarine manufacturers and even immigrants coming into the United States. Hence the proposition is not novel. If, he said, the

proposition is not novel. If, he said, the plan is to be changed there will be a vast drain on the treasury, and predicted that \$10,000,000 a year would soon be required for meat inspection alone.

He said the packers alone are responsible for the agitation that has been aroused, but predicted that in the end the result would be a restoration of confidence and therefore beneficial. He credited the prospective success of the measure to the prospective success of the measure to the President, who had stood firmly from the beginning for the most complete inspec-tion bill on the statute books of any coun-

Mr. Lodge for Senate Provision. Senator Lodge also spoke for the Senate provision, although he said it might be considered "audacious to do so in view of the announcement that the House had perfected the measure and the President had accepted it." He pleaded especially for the dating of labels, because the public has the right to know what it is buying. "If canned meat is just as good five years after canning as it is five months afterward why, it can't hurt these tender years after canning as it is five months afterward, why, it can't hurt these tender creatures, the packers, to have the public know the age of the article," he said. It would be said, of course, that there is a prejudice, and he would admit that such is probably the case. Moreover, he considered the prejudice to be justified.

He did not agree that the producers and the consumers would not feel the effect of the tax, for judging the future by the past, the packers would find in a tax of a few mills an excuse for an increase of several cents a pound on the meat they sell and a similar decrease on the stock they buy. Nevertheless, he thought the packers should pay the cost. He charged the Chicago pack-

pay the cost. He charged the Chicago packers with trying to defeat the legislation. The attack from Europe did not alarm Mr. Lodge very much, for he said that practices in foreign countries are no whit better than our own. He read newspaper extracts to show that in England rotten eggs tracts to show that in England rotten eggs are used in making pastry and fevered cattle are butchered for beef, and also quoted an article from an English review to show that morals in that country are not all they should be. He brought these matters in only to show that while English methods are different from ours, the English are

no better than we are.

They cover up offenses, while we exhibit them to the world. He believed the American people to be honest, and this was the reason he felt so keenly the exceptional conduct of the Chicago packers. They had undertaken to cover up their of They had undertaken to cover up their of-fenses and to prevent congressional action. He defended the inspection report of Messrs, Neill and Reynolds, saying that their charges had been justified by the orders given yesterday by the Chicago city govern-ment for greater cleanliness.

Conditions Described by Mr. Neill. Mr. Lodge declared that the conditions lescribed by Neill and Reynolds were true

Mr. Lodge declared that the conditions described by Neill and Reynolds were true at the time they were written, and Mr. Hansbrough read a telegram which said the writer had visited one of the big packing houses in Chicago and had found the walls of the killing room covered with damp kalsomine, showing that an attempt had been made recently to clean up.

Discussing the group of men in control of the packing industry, Mr. Lodge said their history has been of utter defiance of law and public opinion.

He referred to a recently published interview with Nelson Morris, in which this great packer showed contempt for writers of books, and the Massachusetts senator said that writing of a book brought about the present situation, and it may occur to the packers that "the writing of books is not so contemptible." The men responsible for the meat packing and Standard Oil monopolies, said Mr Lodge, have done more to advance socialism, anarchism, unrest and unwholesome conditions in the United States than all of the socialists in the world. He said the people would resent having their food tampered with and made sport of for mere insensate greed for money and that they are rightly insisting that these packers be put on the same basis as manufacturers of other food whose products are inspected.

Defended the Packers.

Senator Warren defended the packers and enounced as "simply monstrous" the roposition of Messrs. Beveridge and Proctor that they should be required to adver-tise their business in a prescribed way. He also said that the legislation is aimed at the farmer and stock growers, and con-tended that instead of taxing them and the packers for the proposed inspection the en-tire country should pay the expense. Mr. Warren had not been speaking long when the morning hour expired, rendering it necessary to displace the appropriation.

Cause Trouble.

Sharply Criticised in the Two Essen- Will Fight Elliott's Confirmation to the Last Ditch.

THE PAYMENT OF THE COST MAY AFFECT PANAMA CANAL

Story of the Fight Between the Senators in State-Trouble for

Mr. Ridgely.

An announcement by President Roosevelt that he will nominate James D. Elliott as United States attorney of South Dakota has the promise in it of future developments that may or may not border on the sensational. The nomination involves the politics of South Dakota, and, possibly, the question of the type of a canal across the Isthmus of Panama.

Senator Kittredge, the glant statesman from South Dakota, in his soft, quiet way, entered the strongest sort of a protest against Elliott's nomination in a talk he had with the President today. When the conference was ended and Kittredge went away with the positive statement of the President that he intended to name Elliott there was the nucleus for something to happen. Kittredge is a member of the judiciary committee of the Senate as well as chairman of the Senate committee on inkittredge that was mainly responsible for a report by his Senate committee favoring a sea level canal across the Isthmus of

As is well known, the President is strongly opposed to a sea-level waterway, and there is the widest sort of difference between the two men as to what should be done in the way of a canal.

The belief strongly prevails that Senator Vittredge will expose the confirmation of

Kittredge will oppose the confirmation of Elliott in the Senate judiciary committee and will fight it on the floor of the Senate in the event there is a favorable report from the committee. Senator Gamble, on the other hand, will use his utmost efforts to have Elliott promptly confirmed.

Fight in South Dakota.

Elliott was United States attorney for four years. His term expired last December, and the fight over his remaining in office began without much delay. Last winter Senator Gamble asked for another term for him anad pointed to his record as a good one. Senator Kittredge, aided by Representatives Martin and Burke, asked for the appointment of A. C. Biernatzki. The President delayed action from time to time, although it was given out several times by the friends of Biernatzki that the President had indicated his intention

appoint him.

When Gamble saw that he was being crowded by a strong force he asked the President to hold the appointment up until after the primaries in South Dakota, Gamble being engaged in a fierce fight with the Kittredge faction for return to the Senate. The President took no action. Several months ago Elliott resigned as United States attorney to manage the campaign of Gamble for re-election, and this campaign produced a bitter state of feeling between the factions. Gamble was successful and the Kittredge machine, which included Representatives Burke and Martin, was badly defeated, the two latter falling renomination to Congress. Gamble, after his triumph, asked the President to nomi-

his triumph, asked the President to nominate Elliott, whose office had not been filled during his conduct of the campaign, the assistant United States attorney conducting the work of the office.

The President did not adopt the course that had been recommended to him by many of naming a dark horse, and accepted the recommendation of Gamble, with the result that Kittredge, who declines to reveal what he will do, is said to be furious. How much sympathy Kittredge will have among his colleagues in the Senate can not be stated, but it is declared that he will fight Elliott to the last ditch and will work harder than ever to have the Senate adopt harder than ever to have the Senate adopt a sea-level canal in the vote it will take

An Appeal for Russian Jews. Simon Wolf, head of the B'Nai B'rith, called on the President today to say that he has been receiving scores of telegrams from Hebrews in all parts of the United States protesting against the massacres of Jews in Russia and asking whether the United States could not interfere to end the slaughter. President Roosevelt expressed his sympathy with the Jews, but said that he was unable to see how the United States could enter a protest at this time under the diplomatic methods of the world.

Will Ridgely Have Trouble?

The attacks Senator Tillman has made upon the Chicago bank failures in which Walsh figured, have charged William B. Ridgely, controler of the currency, with knowledge of some of the transactions Walsh was engaged in prior to the failures. Senator Tillman alleges that Controler Ridgely knew, or must have known, that Walsh was lending large sums of money belonging to the bank to himself or the concerns he was interested in, and Till-man has tried to ascertain why this was man has tried to ascertain why this was not stopped and why the conditions in the Walsh banks were not taken in hand by the controller. Mr. Ridgely has made no reply to any of the assertions or inquiries, but a great deal of gossip has resulted. A number of people are under the impression that the President has already taken cognizance of the allegations that Controller Ridgely should have taken action long before the banks went under.

Just what the truth may be as to the investigation the President may be making cannot be ascertained at the White House, but it is stated that the President has probably informed the Department of

has probably informed the Department of Justice, which has been looking into the failure, that he wants a full report of the whole matter. From this report he will be

whole matter. From this report he will be able to act.

The Walsh banks, as is known, were a sort of clearing house for Illinois politicians. While Senator Cullom, who is the father-in-law of W. B. Ridgeley, was not closely connected with the banks, it was the purpose of the banks to accommodite the resulticians of the state. The the republican politicians of the state. Th intimation of Senator Tillman that this po litical affiliation may have been responsible for the leniency of the controller's office to these banks, if there really was leniency, will be looked into by the President, if re-

Oklahoma Will Be Democratic. Two democratic and two republican citi zens of the new state of Oklahoma called on the President today, one of them being

a former companion of the chief executive

in the Rough Riders. They were E. S.

FOR SALE TODAY

McPherson, J. N. Jackson, R. F. Turner and L. V. Mullen, all from Ardmore except Mr. Jackson, who is from Paul's valley. The latter was a Rough Rider soldier. McPherson and Jackson are republicans, and they were forced to good naturedly listen to the boasting of Mullen and Turner that the new state will elect democrats at the November election. They were somewhat inclined to admit that the democrats will probably control the legislature and state offices at the first election. "but we will get them after that," said Mr. Jackson, "as immigration will bring us republicans."

us republicans."

The President received a visit from Emerson Coatsworth, mayor of Toronto, Canada, and R. C. Harris, property commissioner of the same city.

W. E. Blackburn of Anthony, Kan., president of the State Editorial Association of that state, called on the President with Representative Murdock.

Badly Wounded Rough Rider. President Roosevelt received a visit this norning from one of his old comrades of the Rough Rider regiment, who was severey wounded during the charge up San Juan Hill. Starr Wetmore, the ex-trooper, was escorted to the White House by Repre-

escorted to the White House by Representative Campbell of Kansas. The President greeted Wetmore very cordially and spent ten or fifteen minutes exchanging reminiscens with him.

"Mr. Wetmore had a pretty severe time of it in Cuba," said Mr. Campbell. "He was wounded by a Spanish bullet during the charge up San Juan, and was placed on any army transport and sent home. After he had got well started on his way to the states he became delirious from the effects of his wound, and the people on the transport jumped to the conclusion that he had yellow fever.

"They therefore dumped him out of the transport into a small boat, which conveyed him to a smallpox hospital, where he got

him to a smallpox hospital, where he got "And it was six weeks before they found where I was," added Mr. Wetmore, who stood modestly behind Mr. Campbell whell stood modestly behind Mr. Campbell while the latter was talking. "The only official information that the War Department had of my whereabouts was that I had been shipped aboard the transport. I was the last man to leave the hospital where I was treated, and I'm a good deal surprised that I ever came out of it."

Against the Immigration Bill.

A mass meeting of citizens of Boston was held in Fancuil Hall in that city on June 6 for the purpose of protesting against the passage by Congress of the pending immigration bill. A committee was appointed to constitute a delegation to visit Washington to interview the President, Speaker Can-non and the Massachusetts delegation in

Congress.
The committee consisted of Matthew Cummings of the state federation of the A. O. H.; Dr. Joheph Santosuosso, representing the allied Italian societies of Massachusetts, and Philip Rubenstein, representing the federated Jewish organizations of Massachusetts.

This committee called on the President today and submitted a copy of the resolutions adopted at the Faneull Hall meeting. The committee protested particularly against the following features of the bill: The increase in head tax; the educational test; the financial test; the low vitality clause depriving the immigrant detained on that account from the right to appeal, as at present, from the opinion of the examining physician to the Secretary of Com-merce and Labor. They contended that the first three were arbitrary tests of fitness of immigrants and that the fourth was un-

reasonable and unfair.
At the conclusion of the conference the delegation left the White House feeling that the President was in sympathy with many of their views.

## MR. C. M. HOUGH NAMED

Senate by the President today, is certain to be severely criticised in many quarters. Mr. Hough was recommended to the President by Representative Parsons of New York, the chairman of the republican county committee. It has been freely and openly charged that Hough, while a great lawyer, has been associated for years with firms that were employed by the Pennsylvania railroad as attorneys. It was declared, and not denied, that he was identified with two prominent firms that were retained by the Pennsylvania system. It was thought this would eliminate him from the fight. But Parsons

With the appointment was given out a letter from the Attorney General to President Roosevelt declaring that Hough was the best man he could find. The giving out of a letter of this sort is unusual in an appointment. The letter is as follows:

"WASHINGTON, D. C., June 20, 1906.

Mr. Woody's Letter.

"My Dear Mr. President:-I send to you the nomination of Charles M. Hough for the position of district judge in the southern district of New York. You have received heretofore my recommendation of his appointment, and I now, at your suggestion, render you a brief account of the investigation undertaken at your direction which led to the recommendation. "You told me that you wished to select for this position the very best man available and urged me to take the utmost pains to exercise and proport to you the name of able and urged me to take the utmost pains to ascertain and report to you the name of that man, having consideration only to the character and capacity of the candidate, the interests of the public and the bar. I had conferences at New York, both personally and through the United States attorney, with some of the federal judges. I asked them, with the United States attorney, to go over the field with great care and inform me of the names of those available. ney, to go over the field with great care and inform me of the names of those available, who, in their judgment, would be the most suitable for appointment. I requested them to consider not only the names of those who had offered themselves or who had been offered by others as candidates, but also the names of any men who, without formally becoming candidates, would accept the posi-tion if it were tendered to them without any effort on their part. This very much broadened the field of inquiry, as there are many men who would not become active candidates for a judicial position, but would accept one if it were tendered to them withaccept one if it were tendered to them without the necessity on their part of endeavoring to obtain political or other backing; for the men best fitted for judicial positions are usually the very men who will
not consent to make an active canvass for
appointment. The result was that, after
careful consideration, the names of three
men were sent to me. It was stated that of
the three Mr. Hough in the opinion of the the three Mr. Hough, in the opinion of the district attorney and the judges with whom he conferred, would make the most satisfactory judge. I was informed that it was the belief that Hough would be "a remarkably good appointment and in a marked degree was the best candidate." I have all sources to Norwania. marked degree was the best candidata." I have had several conferences in New York and others in Washington with members of the New York bar, and have had the advantage of Mr. Root's knowledge and large acquaintance with the members of that bar. A large number of letters of indorsement of Mr. Hough, which seem to have been voluntarily offered, I forward herewith. Mr. Hough has had a large and varied general practice; his reputation is unassatiable and practice; his reputation is unassallable, and he in the prime of life with the prospect of many years of judicial usefulness before him. I think that his appointment would be a most admirable one.

"I beg to say, in conclusion, that the public interests imperatively require the speedy nomination and confirmation of a judge in

Presidential Nominations. The President today sent to the Senate

ination of Charles M. Hough, to United States judge for the southern trict of New York. Also the following

A. True, Highland; J. N.

tis, Battle Creak; S. Swarthout, Lake View.
New York-G. B. Harwood, Skaneateles.
Ohio-J. B. Eillott, Greenfield.
Kentucky-O. A. Reynolds, Covington; G.
W. Bury, Clinton; T. F. Beadles, Fulton;
L. F. Petty, Shelbyville; Edna J. Kirk,
Paintsville; Perry Westerfield, Sebree.
South Carolins-J. O. Ladd, Summerville.
Missouri-A. F. Karbs, Neosho; L. W.
Cramer, May's Landing.
Georgia-John M. Barnes, Thomson.
Also promotions in the navy.
Arisona-Albert L. Smith, Prescott.
Arkansas-G. H. Taylor, Morrillton.
Colorado-Clark Z. Cozens, Littleton.
Florida-Guy Gillen, Lake City; Henry
J. Ritchie, St. Augustine; Alexander W.
Jackson, White Springs.
Illinois - James H. Lincoln, Franklin
Grove; Edward Grimm, Galena; James F.
M. Greene, Hillsboro; William H. Hainline,
Macomb; James R. Morgan, Maroa; William E. Nipe, Mount Carroll.
Indiana-William T. Baker, Alexandria;
E. T. Botkin, Farmland.
Iowa-Frank E. Fritcher, Nashua; G. L.
Van de Steeg, Orange City.
Kansas-James A. Ament, Dodge City:

Van de Steeg, Orange City. Kansas-James A. Ament, Dodge City Kansas-James A. Ament, Dodge City; James Frey, Enterprise; Theodore Griffith, Great Bend; Samuel C. Lobaugh, Harper; George W. Watson, Kinsley; Samuel R. Peters, Newton; Frank C. Bevington, Jewell. Massachusetts-William E. Freese, East Walpole; Joseph A. West, Provincetown. Michigan—Minnie L. Hall, Lawton; Charles G. Kellow, Palnesdale. Minnesota—Charles E. Callaghan, Rochester; Theodore P. Fagre, Blooming Prairie.

Montana—Ira L. Kirk, Bozeman.

Montana-Ira I. Kirk, Bozeman. Nebraska-James M. Beaver, Scribner; Frank D. Reed, Shelton.

New Jersey—Edwin Cadmus, Bayonne.
New York—Claude L. Wilson, Little Valley; Robert H. Bareham, Palmyra; Charles
E. Sheldon, Sherman.
North Carolina—William H. Jenkins, Hen-Ohio-Homer L. House, Deshler; John W

Ohlo-Homer L. House, Deshier; John W. Bath, Elyria; Henry S. Enck, Leipsic; William D. Powley, Monroeville; Allan Graham, jr., Ottawa; Frank A. Gambie, Van Wert; John Ramsey McElroy, New Comeratown; Leslie E. Meyer, Oakharbor.
Oklahoma-Alfred F. Deming, Snyder.
Florida-Joseph L. Skipper, Lakeland.
Pennsylvania-Jesse H. Roberts, Downingtown; David M. Graham, Mahanoy City; Burd R. Linder, Orwingsburg; George W. Schmeltzer, Pine Grove; William H. Underwood, Washington.

wood, Washington.
South Dakota—John E. Hipple, Pierre.
Texas—William C. Smith, Bowle.
Utah—Peter Martin, Park City; John W

Dougall, Springville. SUICIDE OR ACCIDENT?

DEATH OF GEORGE DE PRO TO BE INVESTIGATED.

George DePro, thirty-seven years of age, was found dead in his room at 922% E street northwest, this morning, his death, it is thought, having been due to his inhaling illuminating gas. His body was found on the floor near the door, the gas being turned on at full head. Mrs. Mary H. Wofford, from whom he rented a hall room on the third floor, found his body in the room, following an investigation of the origin of the odor of gas in the house.

The police of the first precinct were notified and Policeman Connors was sent to the house to make an investigation. He was placed on duty to await the arrival of the acting coroner. DePro, the police say, was married, but did not live with his wife. A short while ago he had some trouble with his landlord and was arrested upon a charge of threats. At the time of his arrest he had a letter in his pocket that he had addressed to The Evening Star telling the name of a man who, he said, might be accused of having killed him in the event of his being found dead.

After being arrested he said he had been

TRICT OF NEW YORK.

The nomination of Charles M. Hough to be United States district judge of the southern district of New York, sent to the Senete by the President today is certain.

MAMMON OR MANHOOD.

Henry Watterson Declares That is the Great Issue. PROVIDENCE, R. I., June 20 .- Henry

Watterson of Kentucky delivered an address today at the commencement banquet of Brown University on "Sectionalism," which he declared he had fought all of his life and against which he would set provincialism and the spirit of provincialism. "The one is a destroyer, the other a builder," said Mr. Watterson, "Sectional-

ism deals with the remote and unfamiliar. It makes distinction. It raises differences. It breeds hatred and organizes mistakes.

"It is not easy to establish fixed prejudice between kindred communities lying along-side. Too much intercourse, too many common interests too many common interests too many common interests." non interests, too many ties of blood and Mection. In the final equation the good and the true will outweigh the sinister and the false. But distance lends not always enchantment—sometimes misconception and acrimony—to the view, too often enabling the self-seeker and the bigot the easier to

'Why is it that we so condemn and yet

"Why is it that we so condemn and yet so cultivate sectionalism? It is because that, unconsciously, our opinions take the color of our interests, and that, in a country so separate and so vast, these interests sometimes conflict."

Mr. Watterson declared the great issue now is embodied in the simple question, Shall mammon or manhood prevail in the great represents of the country? His faith he government of the country? His faith, he said, was strong that the answer will be on the side of manhood. Mr. Watterson advised the young graduates to go south.

INJUNCTION GRANTED

Southern Bailway Scores Point Against City of Alexandria.

Upon the appliction of the attorney of the Bouthern rathroad, Mr. C. C. Carlin, Judge Nicol, presiding over the Alexandria county circuit court, today granted an injunction against the mayor and city council of Alexandria, Va., to prevent them from tearing up the tracks on Henry street of that

city. It is said the mayor and council, considering that the old tracks are in disuse and an obstruction to the street, began clear-ing the thoroughfare, and continued until restrained by the injunction. The purpose of retaining the tracks upon the street which are used but rarely is explained as an effort on the part of the railroad to pre-serve their franchise.

ORDERED A REDUCTION.

Kentucky Railway Commissioners Cut Freight Rates.

FRANKFORT, Ky., June 20.-The state allroad commission today ordered a reduc-tion of 25 per cent in freight rates.

Ocean Steamship Arrivals. NEW YORK, June 20 .- Arrived: Steame C. F. Tietgen, from Copenhagen. QUEENSTOWN, June 20.—Arrived: Ma-estic, from New York.

Murdered Wife in a Quarrel. NEW YORK, June 20.-In a quarrel over oney matters at their home in Hoboken, N. J., today Theodore Ahl, forty-nine years old, a steamship rigger, murdered his wife by cutting her throat with a razor, and then tried to end his own life with the same weapon. Little expectation is held for his recovery.

Admitted to Practice. The Court in General Term, Chief Justice Clabaugh presiding, today held a brief ses-sion for the admission to the bar of two torneys from other jurisdictions. Mornupnik of Chicago, Ill., and Charles

Death of Columbus Thomas northwest, died suddenly last 10:20: delenk at the age of sev-a. Funceal particus over his re-| | Kansse-L. C. McMurray, McPhesson. | mains will be held from his late residence | lift of alumni, a number of promine Michigan-F. L. Irwin, Albien; M. S. Cur- Friday next at \$150 p.m.

Clarence York's Fatal Fall From Hospital Window.

THERE WERE NO WITNESSES

Body Found Shortly After 3 O'Clock This Morning.

HAD BEEN TREATED FOR INJURY

Friends Believe His Death Was Due to Accident-Mrs. York

Out of City.

Clarence M. York, who was employed as

private secretary to Chief Justice Fuiler, jumped or fell from a fourth-story window at Garfield Hospital this morning about 3 o'clock, and his death resulted. Nobody saw him when he jumped or fell, but life was extinct when he was found, and his body was removed to the undertaking establishment of John R. Wright, 1337 10th street northwest.

Mr. York was treated at the Emergency Hospital about 1:30 o'clock yesterday afternoon for a slight injury to his face. He was taken to the institution in a buggy from near the corner of 17th and G streets northwest, and his statement when he was questioned was that he had

fallen from a street car. Later in the afternoon he was taken to his apartment at the Logan apartment house, Iowa circle, where he was attended by Dr. Frank Leech, his family physician. The physician paid a visit to the injured The physician paid a visit to the injured man last night and found that the dressing had been removed. About 11 o'clock Mr. York was removed to Garfield Hospital to have a new dressing applied. He was taken to the operating room, and after the dress-ing had been applied he was sent to a ward. It is stated that he was perfectly rational at that time, and that he would have been returned to his apartment had It not been so late and also for the reas that his wife was out of the city.

Absence of Mrs. York. Mrs. York left the city a few days ago for Atlantic City, expecting to be absent several days. Her friends this morning tel-

egraphed her that her husband had met a violent death. Since Mrs. York's departure from the city. it is stated, her husband had packed his trunk or suit cases and made preparations to join her at the seashore. He stated to a friend yesterday morning that he had made arrangements to go to Atlantic City in the afternoon. His friends had noted that his mind was disturbed, it was stated at the Logan this morning, and they feared for his safety. It was because of these fears that

the physician was summoned.

When he reached the hospital, the physiclans say, there was no special reason why he should not have returned to is apartment had he desired to do so. He walked from the operating room to the ward on the fourth floor, and retired after he had removed his clothing. A short while after he went to the ward the nurse in charge opened the door and looked in.

In Bed When Attendant Called.

Mr. York was then in bed and was quiet. He wanted nothing and the nurse partly closed the door. Half an hour later he was sleeping quietly, but shortly before 3 o'clock the bed was found to be without an occupant. An investigation was made and Mr. York's body was found upon the ground

It was apparent that he had fallen upon his head, although he had sustained no external injuries of any consequence. The police were not notified of the affair, and it was not until afternoon that they knew of the tragedy. The remains were removed to the undertaking establishment, as stated. and Deputy Coroner Glazebrook was summoned. Later in the morning he called at the undertaker's and viewed the remains, but did not give a certificate of death, preferring to ascertain something more of the affair before he determined whether the case

was one of suicide or accide

View of His Friends. Friends of the deceased are of the opinion that his death was due to an accident and not to suicide. He had always seemed to be of a jovial disposition, and was apparently enjoying life. Dr. Leech, his attending physician, is inclined to the opinion that he became delirious during the night and accidentally fell from the window, or that he awoke and went upon an investigating tour; that while looking about to ascertain

where he was he went to the window and accidentally toppied over.

The deceased had a host of friends in this city and in New Jersey, where he formerly resided. He had lived at the Logan for several years, it is stated, being one of the first persons to occupy an apartment there under the present management. Arrange-ments for his funeral will not be made until after his wife reaches this city. Acting Coroner Glazebrook will make further in

cate of death. It was stated this afternoon that York had called at the house of Chief Justice Fuller yesterday shortly before he fell from

the street car.
The employes in the Supreme Court offices were shocked to learn this morning of Mr. York's death. While no one of them stated he was his intimate friend, all had a high regard for his character and for his mental attainments. He had been with Chief Justice Fuller since October, 1889. He was himself a lawyer and was a most efficient man in carrying out the rather dis-

Co.'s standard thermometer today was as follows: 8 a.m., 74; 12 m., 79; 2 p.m., 80.

Down-Town Temperature.

The temperature recorded by Feast &

The temperature registered today by Affleck's standard thermometer was as follows: 9 a.m., 81; 12 noon, 88; 2 p.m., 91. Series of Accidents. Bicycles ridden by Frederick Moore and William E. Hayes, the former living at 1026 31st street and the latter at 1152 22d

street, collided on L street near Connecticut avenue this morning. Both wheelmen re-

ceived injuries about their faces and Moore,

who is fourteen years of age, was taken to the Emergency Hospital for treatment. Hayes declined the offer of the police to send him to the hospital.

While visiting friends at 806 19th street northwest this morning about 11 o'clock, Harry M. Gunnell, fifty-five years of age, fell on the stairs and sprained his ankle. He was taken to the Emergency Hospital.

was taken to the Emergency Hospital.

John McGee, sixty years of age, living at 316 C street, fell against the fence in front of his home about noon today and received painful injuries to his eyes. An ambu-lance was called and he was removed to the

lance was called and he was removed to the Emergency Hospital.

John Monroe, colored, fifty-five years of age, living on Douglass avenue, Hillsdale, fell from a car while working at the foot of Howard avenue, Hillsdale, this morning. He received a severe injury to his foot by the wheels of the car passing over it. The police took him to Providence Hospital for treatment.

Gonzaga College Commencement. Arrangements have been made for the lonzaga College, in Gonzaga Hall, tomor-

ow evening. The address to the graduates vill be delivered by Representative Bourke lockran of New York and Mgr. Diomede alconio, the papal delegate to the United tates, will distribute the awards.

Rev. Edward X. Fink, S. J., the president the college, and the officers of the Alumanosciation of Gonnaga College are also thing forward with